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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,073	08/10/2001	James D. O'Brien JR.	12128-129001	7346

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EXAMINER	
GEORGE, KEITH M	

ART UNIT	PAPER NUMBER
2663	9

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/928,073	O'BRIEN, JAMES D.	
	Examiner	Art Unit	
	Keith M. George	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 January 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *26-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *26-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4,6,8*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This application has been reassigned to examiner Keith M. George, AU 2663.

Claim Objections

2. Claim 26, 44 and 53 are objected to because of the following informalities: In lines 2-3 of each of the claims, the phrase "and the gathering mechanism and the gathering mechanism" should probably read "and the gathering mechanism". Appropriate correction is required.

3. Claim 29 is objected to because of the following informalities: In line 20 of the claim, the phrase "and the server mechanism and the server mechanism" should probably read "and the server mechanism". Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 26-35, 38-42 and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwama et al., U.S. Patent 6,600,735, hereinafter Iwama in view of Sitaraman et al., U.S. Patent 6,466,977, hereinafter Sitaraman and Salama et al., U.S. Patent 6,584,093, hereinafter Salama.

6. Referring to claim 29, Iwama discloses an inbound gateway (i.e. fig. 1, 102-a, gateway); an outbound gateway (i.e. fig. 1, 102-b, gateway); and a server mechanism (i.e. fig. 1, 101, gatekeeper) to set up call signaling with inbound and outbound gateway to instruct inbound and outbound gateway to stream media content to the VoIP call to each other (i.e. fig. 2, col. 8, ll. 17-37, signaling is passed from gateways and call can be established). Iwama possibly fails to disclose a gathering mechanism, authenticating mechanism, streaming the content after authentication and an inbound proxy. However, Sitaraman teaches a gathering mechanism (i.e. fig. 7, 46, col. 6, ll. 48-50, call agent), authenticating mechanism (i.e. fig. 7, 48, AAA proxy server can include authenticate, authorize, and accounting service functions) and stream the content after authentication (i.e. col. 7, ll. 4-11, after the user is authorized, PSTN gateway forms direct RTP stream with PSTN gateway and other gateway 56). Therefore, it would have been obvious to an ordinary person skilled in the art at the time of the invention to include a gathering mechanism, authenticating mechanism and stream the content after authentication as taught by Sitaraman with the system of Iwama in order to allow only authorized users to use the system. Salama teaches a basic method for automatic inter-domain routing of calls. Figure 19 clearly shows an inbound proxy (1946) that can communicate with a server mechanism (1944, Gatekeeper 1) and a gateway (1956, SIP/H.323 Gateway 1). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to apply the teachings of Salama which shows basic call processing of a VoIP call with the VoIP call processing techniques taught by Iwama and Sitaraman. One of ordinary skill in the art would have been motivated to do this to allow for the routing of an Internet Telephony call through multiple ISPs to a SIP/PSTN gateway (Salama, column 8, lines 52-55).

7. Referring to claim 30, Iwama, Sitaraman and Salama teach the system described in reference to claim 29 above and Salama also clearly teaches in figure 19 an outbound proxy (1952, Sip Proxy 5) to communicate with the outbound gateway (1962, SIP/PSTN Gateway 2) and the server (1954, Gatekeeper 2).

8. Regarding claims 26 and 44, Iwama discloses an inbound network (i.e. fig. 1, 109-a, ZONE1) with inbound gateway (i.e. fig. 1, 102a) and gathering mechanism (i.e. fig. 1, 101-a) and outbound gateway at a remote location (i.e. fig. 1, 102b at ZONE2).

9. Regarding claims 27 and 45, Iwama does not specifically disclose authentication mechanism. However, Sitaraman teaches the use of authentication mechanism (i.e. fig. 7, 48).

10. Regarding claims 28 and 46, Iwama does not specifically disclose customer network at a remote location. However, Sitaraman teaches the customer network is at a remote location (i.e. fig. 7, 40 is remote of gateways).

11. Regarding claims 31 and 38, Iwama does not specifically disclose and IVR to gather information. Official notice is taken that using IVR to collect information is old and well known

12. Regarding claims 32 and 39, Iwama does not specifically disclose a radius server. However, Sitaraman teaches that the server could use RADIUS protocol (i.e. col. 2, 41-44). Therefore, it would have been obvious to an ordinary person skilled in the art at the time of the invention to include RADIUS server as taught by Sitaraman with the system of Iwama in order for the servers to be backward compatible and radius proxy servers are most deployed.

13. Regarding claims 33 and 40, Iwama discloses server mechanism maintains control while gateways are streaming (i.e. fig. 2, the gatekeeper controls signaling both setting up and tearing down so it is in control of the call).

14. Regarding claims 34-35 and 41-42, Iwama discloses H.323 and SIP (i.e. col. 7, ll.45-48).

15. Claims 36 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwama in view of Sitaraman and Salama as applied to claims 29 and 30 above, and further in view of Adler et al., U.S. Patent 6,501,837, hereinafter Adler.

16. Regarding claims 36 and 43, Iwama does not specifically disclose calling cards for use with VoIP. Adler teaches using calling cards (i.e. fig. 2, 202). Therefore, it would have been obvious to an ordinary person skilled in the art at the time of the invention to include using a calling card as taught by Adler with the system of Iwama in order to increase convenience by allowing making calls without having to carry cash or call collect.

17. Claims 37, 47-51 and 53-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwama and Sitaraman as applied to claims 29 and 30 above, and further in view of Patel et al., U.S. Patent 6,314,284, hereinafter Patel.

18. Referring to claim 37, Iwama and Sitaraman teach the system described in reference to claims 29 and 30 above with the possible exception of telephone numbers that a user may not call. Patel teaches a system and method for providing service transparency for mobile terminating calls within an H.323 system including that a gatekeeper can apply mobile terminating service, e.g., call forwarding or call blocking (numbers that a user may not call), associated with the called H.323 mobile terminal. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to implement the call blocking feature of H.323 taught by Patel in the VoIP system of Iwama and Sitaraman. One of ordinary skill in the art would have been motivated to do this because Call Blocking is a standard call terminating service as taught by Patel (column 4, lines 9-14).

19. Regarding claim 53, Iwama discloses an inbound network (i.e. fig. 1, 109-a, ZONE1) with inbound gateway (i.e. fig. 1, 102a) and gathering mechanism (i.e. fig. 1, 101-a) and outbound gateway at a remote location (i.e. fig. 1, 102b at ZONE2).

20. Regarding claim 54, Iwama does not specifically disclose authentication mechanism. However, Sitaraman teaches the use of authentication mechanism (i.e. fig. 7, 48).

21. Regarding claim 55, Iwama does not specifically disclose customer network at a remote location. However, Sitaraman teaches the customer network is at a remote location (i.e. fig. 7, 40 is remote of gateways).

22. Regarding claim 47, Iwama does not specifically disclose and IVR to gather information. Official notice is taken that using IVR to collect information is old and well known

23. Regarding claim 48, Iwama does not specifically disclose a radius server. However, Sitaraman teaches that the server could use RADIUS protocol (i.e. col. 2, 41-44). Therefore, it would have been obvious to an ordinary person skilled in the art at the time of the invention to include RADIUS server as taught by Sitaraman with the system of Iwama in order for the servers to be backward compatible and radius proxy servers are most deployed.

24. Regarding claim 49, Iwama discloses server mechanism maintains control while gateways are streaming (i.e. fig. 2, the gatekeeper controls signaling both setting up and tearing down so it is in control of the call).

25. Regarding claims 50 and 51, Iwama discloses H.323 and SIP (i.e. col. 7, ll.45-48).

26. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iwama in view of Sitaraman and Patel as applied to claims 29 and 30 above, and further in view of Adler et al., U.S. Patent 6,501,837, hereinafter Adler.

27. Regarding claims 36 and 43, Iwama does not specifically disclose calling cards for use with VoIP. Adler teaches using calling cards (i.e. fig. 2, 202). Therefore, it would have been obvious to an ordinary person skilled in the art at the time of the invention to include using a calling card as taught by Adler with the system of Iwama in order to increase convenience by allowing making calls without having to carry cash or call collect.

Response to Arguments

28. Applicant's arguments with respect to claims 26-55 have been considered but are moot in view of the new ground(s) of rejection.

29. The new grounds of rejection are required because the scope of the claims was significantly changed from the claims as originally submitted. For example, claim 29 does not contain many of the limitations that were contained in original independent claim 25. Adding the word "communicably" to the position of the inbound proxy mechanism also broadened claim 29. Claim 29 as originally filed required the proxy mechanism to be located between the inbound gateway mechanism and the server mechanism. By adding communicably to the claim, the proxy mechanism can now be placed anywhere as long as it can communicate with the gateway and the server.

Conclusion

30. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith M. George whose telephone number is 703-305-6531. The examiner can normally be reached on M-Th 7:00-4:30, alternate F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith M. George
16 April 2004

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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 4/19/04